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FREESCALE SEMICONDUCTOR, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

MEDIATEK INC.,

Plaintiff,

v.

FREESCALE SEMICONDUCTOR, INC.,

Defendant.

Civil Action No. 4:11-cv-05341 (YGR)

**[CORRECTED PROPOSED] ORDER  
GRANTING DEFENDANT  
FREESCALE'S MOTIONS IN  
LIMINE (DKT. NO. 390-7)**

Upon consideration of Defendant Freescale Semiconductor, Inc.'s (Freescale) Motions In Limine, this Court hereby GRANTS its Motions In Limine as follows:

IT IS THEREFORE ORDERED:

(1) MediaTek is precluded from presenting any theory or evidence that Freescale has indirectly infringed the '331 patent, whether through contributory infringement or through active inducement;

Legal Basis	Order
Waiver or abandonment by failing to contest motion for summary judgment, Fed. R. Civ. P. 26(a)(2)(B), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(2) MediaTek is precluded from presenting evidence relating to its own products, including its MT8135 processor;

Legal Basis	Order
Patent L.R. 3-1(g), Fed. R. Civ. P. 26(e)(1), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(3) MediaTek's experts are precluded from testifying about their understanding of the plain and ordinary meaning of claim terms that have not been construed by the Court;

Legal Basis	Order
Patent L.R. 4-1, 4-2	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(4) MediaTek is precluded from presenting testimony from its technical experts, Dr. Asanović and Mr. Narad, on the purported benefits of the technologies disclosed in the asserted patents or used in Freescale's accused products;

Legal Basis	Order
Fed. R. Civ. P. 26(a)(2)(B), 37(c)(1), Foundation	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(5) MediaTek is precluded from introducing evidence of the outcomes of other actions for patent infringement initiated by Freescale, including actions against MediaTek;

Legal Basis	Order
Fed. R. Evid. 401, 402, 403	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(6) MediaTek is precluded from presenting evidence related to any sales, offers for sale, or marketing efforts that it has made to [REDACTED] because MediaTek failed to provide adequate 30(b)(6) testimony on such topics;

Legal Basis	Order
Fed. R. Civ. P. 30(b)(6)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(7) MediaTek is precluded from presenting at trial any theory or evidence that Freescale's accused i.MX51 and i.MX53 processors infringe claim 21 of the '845 patent based on the ARM core processor (ARM) and Image Processing Unit (IPU) of those products having the same dynamic priority;

Legal Basis	Order
Patent L.R. 3-1(c), Fed. R. Civ. P. 26(a)(2), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(8) MediaTek is precluded from presenting at trial any theory or evidence that “power pins” on Freescale’s accused i.MX31, i.MX35, and i.MX50 processor chips which may be used to connect an external power management integrated circuit (PMIC) satisfy the “power supply adapted to provide a variable level voltage” limitation of claim 35 of the ’331 patent;

Legal Basis	Order
Patent L.R. 3-1(c), Fed. R. Civ. P. 26(a)(2), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(9) MediaTek is precluded from presenting any theory or evidence in support of its contentions that it is entitled to damages and injunctive relief and that Freescale has willfully infringed the asserted patents because it failed to provide any substantive responses to Freescale’s Interrogatory Nos. 18–20;

Legal Basis	Order
Fed. R. Civ. P. 26(e)(1), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(10) MediaTek is precluded from presenting evidence of secondary considerations of non-obviousness for the asserted claims 1, 2, 5, 21, 22, or 25 of the ’845 patent, other than the intrinsic record of the ’845 patent;

Legal Basis	Order
Fed. R. Civ. P. 26(e)(1), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(11) MediaTek is precluded from presenting expert testimony on configurations of Freescale's i.MX51 and i.MX53 processors other than the default configurations to prove that such processors practice the "arbitration scheme" limitations of claim 21 of the '845 patent;

Legal Basis	Order
Fed. R. Civ. P. 26(a)(2), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

(12) MediaTek is precluded from presenting any theory or evidence of the order in which the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SDL, and i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as well as any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems."

Legal Basis	Order
Patent L.R. 3-1(c), Fed. R. Civ. P. 26(a)(2), 37(c)(1)	<input type="checkbox"/> Granted <input type="checkbox"/> Granted with modification <input type="checkbox"/> Denied

Dated: \_\_\_\_\_, 2014

\_\_\_\_\_  
United States District Judge